

AMENDMENTS TO THE SPECIFICATION

Please amend the above-mentioned application by amending the paragraph which starts on page 2, line 30 as follows:

Dietary fiber gels for calorie reduced foods hold the key to meeting this need. Dietary fiber gels for calorie reduced foods are fully described in U.S. Patent number 5,766,662 (the '662 patent). These dietary fiber gels comprise insoluble dietary fibers consisting of morphologically disintegrated cellular structures, and are characterized by their ability to retain large amounts of water. The dietary fiber gels are produced by shearing agricultural by-products, such as seed brans, hulls, and so forth, under alkaline conditions. Dietary fiber gels in a hydrated form can exits as a gel, and in the dehydrated form as flakes or powders. Additionally, these dietary fiber gels are characterized by their high viscosity at low solid levels. Other insoluble fibers derived from cereals, grains and legumes consist of morphologically intact cellular structures, and thus impart a gritty texture to the foods in which they are contained. The dietary fiber gels disclosed in the '662 patent, however, consist of morphologically disintegrated cellular structures and thus impart a smoother texture than other insoluble fiber formulations. The smoother morphology is readily revealed under electron microscopic magnification of dietary fiber gel. Without being bound by any specific theory, it is believed that the smooth morphology reflects an amorphous nature of the insoluble compounds that constitute dietary fiber gel.

Please amend the above-mentioned application by moving the paragraph which starts on page 2, line 39 to before the paragraph which starts on page 3, line 68 so as to effectively delete the paragraph which starts on page 2, line 39 as follows:

~~More specifically, the present invention utilizes emulsified mixtures of the dietary fiber gels disclosed in the '662 patent, the emulsified mixtures further comprising, at a minimum, water and lipid. These emulsified mixtures are fully described in and are the subject of United States patent application number 10/669731 filed 09/24/2003. These emulsified mixtures, or "emulsified liquid shortening compositions comprising dietary fiber gel, water and lipid", can further comprise functional foods such as high omega three and omega six oils and pure omega three and omega six fatty acids, medium chain triglyceride, beta carotene, calcium estearate, vitamin E, bioflavonoids, fagopyritrol, polyphenolic antioxidants of vegetable origin, lycopene, luteine and soluble fiber, for example Beta Glucan derived from yeast, and other soluble fibers derived from grain, flax seed, and other vegetable and fruit fiber sources, and any combination thereof. Hence, in addition to reducing fat and caloric content of cookies, further health benefits can be achieved by replacing a portion of fat with emulsified liquid shortening compositions comprising dietary fiber gel, water and lipid.~~

Please amend the above-mentioned application by moving and then amending the paragraph which starts on page 2, line 39 to before the paragraph which starts on page 3, line 68 so as to effectively add the following paragraphs to before the paragraph which starts on page 3, line 68 (included to clarify location of amendment) as follows:

More specifically, the present invention utilizes emulsified mixtures of the dietary fiber gels disclosed in the '662 patent, the emulsified mixtures further comprising, at a minimum, water and lipid. The dietary fiber gel as disclosed in the '662 patent can be as-produced and reconstituted. The as-produced dietary fiber comes from the shearing of agricultural by-products

under alkaline conditions. For example, under alkaline conditions oat hulls can be extruded and then sheared in a Waring™ blender to produce such a gel. When the as-produced dietary fiber gel is dried, a reconstituted dietary fiber gel can be made by subjecting the dried product to high shear in the presence of water. For example, as-produced dietary fiber gel can be oven, freeze, and spray dried and then reconstituted by vigorous stirring and blending in a Waring™ blender to produce a reconstituted dietary fiber gel that is essentially identical to the corresponding as-produced dietary fiber gel.

These emulsified mixtures are fully described in and are the subject of United States patent application number 10/669731 filed 09/24/2003. The ingredients of emulsified mixtures include dietary fiber gel, water, and lipid. The lipid can be any oleic fatty acids, flax seed oil, olive oil, canola oil, corn oil, walnut oil, peanut oil, and any other vegetable oil, and any combination of these oils. The ingredient quantities on a total weight basis of 100 parts are preferably a range of 30 to 80 parts water, 0.3 to 20 parts dietary fiber gel solids, and a balance of lipid and other optional components. The ingredients are combined and mixed, and the mixture is subjected to high shear micro-particulation such as by homogenization, colloid milling, ultrasonication treatment, and so forth. For example, dietary fiber gel, water, and lipid can be combined, mixed, and then homogenized at a pressure of between 1500 to 2500 pounds per square inch and temperatures in the range of 120 to 195 degrees Fahrenheit.

These emulsified mixtures, or “emulsified liquid shortening compositions comprising dietary fiber gel, water and lipid”, can further comprise functional foods such as high omega three and omega six oils and pure omega three and omega six fatty acids, medium chain triglyceride, beta carotene, calcium estearate, vitamin E, bioflavonoids, fagopyritrol, polyphenolic antioxidants of vegetable origin, lycopene, luteine and soluble fiber, for example

Beta-glucan derived from yeast, and other soluble fibers derived from grain, flax seed, and other vegetable and fruit fiber sources, and any combination thereof. Hence, in addition to reducing fat and caloric content of cookies, further health benefits can be achieved by replacing a portion of fat with emulsified liquid shortening compositions comprising dietary fiber gel, water and lipid.

Alternatively, the cookies can be provided in the form of cookie dough with the intention that a consumer can bake them at a convenient, post-purchase time, and cookie dough is considered to be within the scope of this invention. As such, for purposes of this document, the term "cookies" is defined to include cookie dough.